

Temporary permission regime for inbound passporting EEA firms

How to notify

January 2019

1 Introduction

In December 2017, the Government announced that, if necessary, it would introduce a temporary permissions regime (TPR) for inbound passporting EEA firms and funds.

If there is not an implementation period and the passporting regime falls away when the UK leaves the EU, the TPR will provide a backstop to ensure inbound firms can continue their UK business with minimal disruption.

It will allow inbound firms to continue operating in the UK within the scope of their current permissions for a limited period after exit day, while seeking full UK authorisation.

More information about the TPR can be found [on our website](#).

The following firms can use the regime:

- Firms which have passports under Schedule 3 to FSMA in place before exit day, including firms with top-up permission.
- Treaty firms under Schedule 4 to FSMA which qualify for authorisation before exit day, including firms with top-up permission.
- Electronic money and payment institutions who are exercising their passporting rights under the Electronic Money Directive (EMD) or the Payment Services Directive (PSD2) before exit day.

These rights could be on a freedom of establishment, a freedom to provide services basis or both.

Firms will need to notify us that they wish to use the TPR via our [Connect](#) system and this document provides detailed instructions for doing this.

Notifications will need to be submitted between 7 January 2019 and 28 March 2019 (inclusive of both dates).

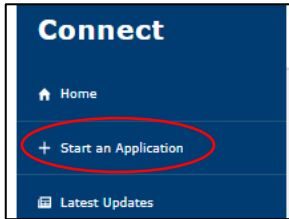
Once the notification window has closed, firms that have not submitted a notification will not be able to use the temporary permissions regime.

Before notifying, firms should take these steps to make the notification process as simple as possible:

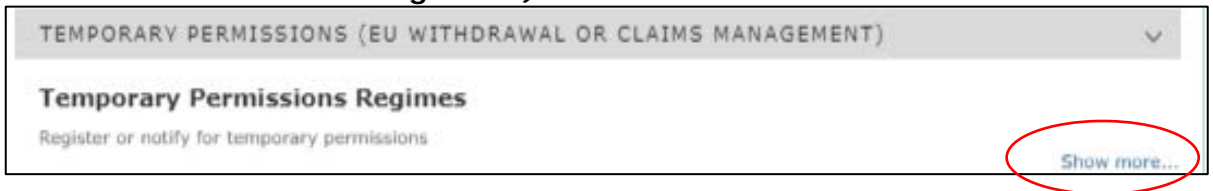
- register for our [Connect](#) system
- firms should [check their passport on the FS Register](#) and let us know as soon as possible, through their [national competent authority](#), of any changes. If this information is not on the Register, please [contact us](#).

2 Start the Temporary Permission Regime notification

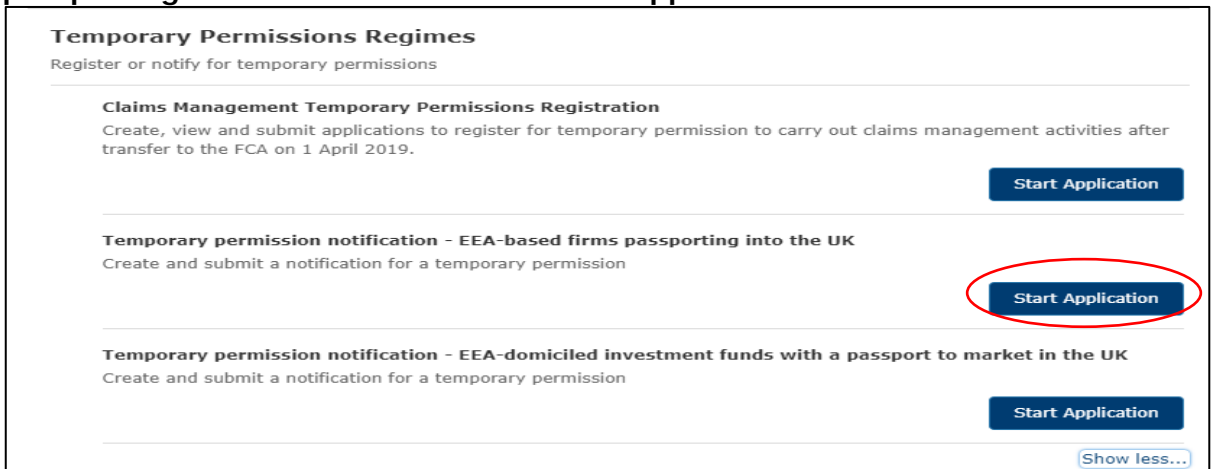
Logon to Connect and select **Start an Application** from the left-hand side of the Home screen.



On the Start an Application screen select **Temporary Permissions (EU withdrawal or claims management)** then click **Show More...**

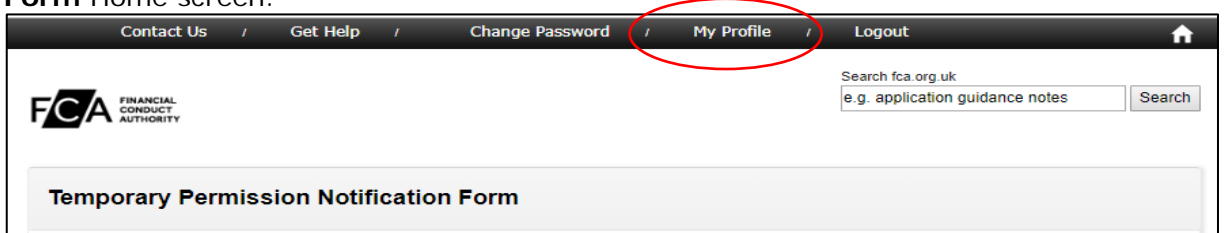


Scroll down to **Temporary Permission Notifications – EEA-based firms passporting into the UK** then click on **Start Application**.



3 Check 'My Profile'

Select **My Profile** located at the top of the **Temporary Permission Notification Form** Home screen.



Update user profile details as appropriate. Please ensure all required fields are populated.

A screenshot of the 'FCA Connect User Profile' form. The form is titled 'FCA Connect User Profile' and has a subtitle 'This page allows you to update any of your personal information.' and a note 'Required fields are prefixed with a red line'. The form contains several fields: Title (Mrs.), First Name (Jessica), Last Name (Vandernoot), Job Title (Compliance Officer), Email Address (jessica.vandernoot@fca.or), Confirm Email Address (jessica.vandernoot@fca.or), Phone Country Code (+32), Telephone Number (0987 067 1111), Mobile Number (099876543451), Fax, Address Line 1 (59 Avenue Rogier), Address Line 2 (Bruxelles), County, Postcode (1200), Country (Belgium), Security Question (In what city did you meet your spouse/significant other?), and Security Question Answer (Amsterdam). The 'Save' button is circled in red.

Click **Save**.

If you update any of your details you will need to restart any draft notifications to include the new information in the Application Contact Details section. Repeat Section 2 and then continue to Section 4.

4 Complete the 'Application Contact Details' section

Select the **Application Contact Details** from the **Temporary Permission Notification Form** Home screen.

Once the application is complete and valid, a button will appear to allow the application to be marked as Ready to Submit (Draft Ready).

Temporary Permission Notification Form	
Application Contact Details	Not Started
Firm Temporary Permission Regime Notification Form Declaration	Not Started

Check that the **Application Contact Details** are correct. If the applicant contact details are incorrect, make any changes under **My Profile** (see Section 3 above).

FCA Connect User Profile

This page allows you to update any of your personal information. Required fields are prefixed with a red line

Title	Mrs.
First Name	Jessica
Last Name	Vandernoot
Job Title	Compliance Officer
Email Address	jessica.vandernoot@fca.or
<small>Your email address will be your username</small>	
Confirm Email Address	jessica.vandernoot@fca.or
Phone Country Code	+32
Telephone Number	0987 067 1111
Mobile Number	
Fax	
Address Line 1	59 Avenue Rogier
Address Line 2	Bruxelles
County	
Postcode	1200
Country	Belgium
Security Question	In what city did you meet your spouse/significant other? ▾
Security Question Answer	Amsterdam
<small>The answer must be greater than 6 characters</small>	
<input type="button" value="Save"/> <input type="button" value="Cancel"/>	

Click **Continue** to go back to the **Temporary Permission Notification Form** Home screen where the **Applicant Contact Details** status will show as **Complete**.

Temporary Permission Notification Form	
Application Contact Details	Complete
Firm Temporary Permission Regime Notification Form Declaration	Not Started

5 Complete the 'Firm Temporary Permission Regime Notification Form' section

Select **Firm Temporary Permission Regime Notification Form** from the **Temporary Permission Notification Form** Home screen.

Temporary Permission Notification Form	
Application Contact Details	Complete
Firm Temporary Permission Regime Notification Form	Not Started
Declaration	Not Started

Select either **Firm Reference Number (FRN)** or **Firm Name** and click **Find Firm** to find your firm's details.

Please search for your firm by using the Firm Reference Number (FRN) or firm name

1 You can search for your firm details using your Firm Reference Number (FRN) or Firm Name. The search will pre-populate the Principal Place of Business, the Permissions and, depending on your search, the FRN or Firm Name section of this form. If the details shown are incorrect, contact your home state regulator.

Firm Reference Number Firm Name

Firm Name:

Check that your firm's details are correct.

Principal place of business

1 Your firm's principal place of business is the main place where work is performed or business is carried out. In most cases, it will be shown on the Financial Services Register – <https://register.fca.org.uk>

Address : 59 Avenue Rogier
1200 Bruxelles
BELGIUM

Phone : (0033) 027728839

Fax :

Email :

Website :

Select **Yes** or **No** to confirm if these details are correct or not. If you have selected **No**, you will need to contact your home state regulator and ask them to give us your updated details before you can proceed with the notification.

Are these details correct?

Yes

No (Please contact your home state regulator to update your details)

Scroll down to provide a postal address in the UK to be used for correspondence, if you have one. Enter your **Postcode** and select **Find Address** to auto populate your address or select **Enter Manually** to enter the address manually.

Please provide a postal address in the UK to be used for correspondence, if you have one

If you have one, please provide an address in the UK that we can use to contact your firm.

Building name / number

Postcode

Enter Manually

Address Line 1

Address Line 2

Address Line 3

Address Line 4

Town

County

Postcode

Country

Scroll down to confirm by selecting **Yes** or **No** if the person whose details are included on the 'Application Contact Details' page (see Section 4) is the key contact for queries about authorisation in the UK.

Are the details on the 'Application contact' page the key contact for queries about authorisation in the UK?

If you are not the individual who should be contacted regarding the firm's application for UK authorisation, please provide their details below.

Yes No

If you select **No**, please enter the details of the key contact manually.

Please provide details of the key contact

Please give us the details of the key contact we should liaise with for queries regarding authorisation in the UK

Title

First Name

Last Name

Job Title

Mobile Number

Email Address

Scroll down to check that the details in the Permission section are correct. This section will show you the details of your current passport(s) into the UK. If these details are incorrect, you will need to contact your home state regulator to ask them to give us the correct information before you can proceed with the notification.

Permission		
<p>The regulated activities your firm is permitted to undertake in the UK. If the regulated activities shown are incorrect, contact your home state regulator.</p>		
Country	Directive	Passport Type
BELGIUM	Markets in Financial Instruments Directive	Service
Country	Directive	Passport Type
BELGIUM	Second Electronic Money Directive	Service
Country	Directive	Passport Type
BELGIUM	Payment Services Directive	Service

Scroll down to complete the rest of this section as required.

What is the firm's main area of business?	
----- None ----- ▼	
Please give details of the number of UK clients by type	
Types of UK client	Number of UK clients
Retail	--None-- ▼
Professional	--None-- ▼
Eligible Counterparties	--None-- ▼
Does the firm safeguard client financial instruments, client funds or other monies for customers?	
<input type="radio"/> Yes <input type="radio"/> No	
Agents for payment services	
Do you provide payment services in the UK through an agent?	--None-- ▼
Agents for electronic money services	
Do you provide electronic money services in the UK through an agent?	--None-- ▼
Tied agents for Markets in Financial Instruments Directive (MiFID)	
Do you provide MIFID services in the UK through a tied agent?	--None-- ▼

Field	Instruction
What is the firm's main area of business	<p>Select from the drop-down menu. Please select the option which most closely matches the firm's area of business.</p> <p>Note: There is a full list of the areas of business in Section 8 of this document.</p>
Please give details of the number of UK clients by type	<p>Select the Number of UK clients from the drop-down menu for the following fields:</p> <ul style="list-style-type: none"> Retail or consumers clients Professional or commercial clients Eligible Counterparties

Does the firm safeguard client financial instruments, client funds or other monies for customers?	Select Yes or No accordingly. Note: Only firms that hold client assets under MiFID and IDD should answer this question. Payments Institutions and Electronic Money Institutions that safeguard client funds should answer No to this question.
Agents for payment services	Select Yes or No accordingly.
Agents for electronic money services	Select Yes or No accordingly.
Tied agents for Markets in Financial Instruments Directive (MiFID)	Select Yes or No accordingly.

If you confirm that the firm does **safeguard client financial instruments, client funds or other monies for customers**, you must download, complete and upload this additional document: <https://www.fca.org.uk/publication/forms/tpr-client-assets-annex.docx>

Note: Only firms that hold client assets under MiFID and IDD should answer this question. Payments Institutions and Electronic Money Institutions that safeguard client funds should answer **No** to this question.

If you confirm that the firm provides **payments services in the UK through agents**, you must download, complete and upload this additional document: <https://www.fca.org.uk/publication/forms/tpr-psd-raisp-agent-annex.docx>

If you confirm that the firm provides **electronic money services in the UK through agents**, you must download, complete and upload this additional document: <https://www.fca.org.uk/publication/forms/tpr-emd-agent-annex.docx>

If you confirm that the firm provides **MiFID services in the UK through tied agents**, you must download, complete and upload this additional document: <https://www.fca.org.uk/publication/forms/tpr-mifid-tied-agent-annex.docx>

Tied agents for Markets in Financial Instruments Directive (MiFID)

Do you provide MiFID services in the UK through a tied agent?

You must download, complete and upload the following document: <https://www.fca.org.uk/publication/forms/tpr-mifid-tied-agent-annex.docx>

These documents can be downloaded (via the links above) and completed prior to starting the Firm Temporary Permission Regime Notification Form.

The additional payments, electronic money and MiFID questions will appear based on your firm's passport(s).

Click **Continue** to go back to the **Temporary Permission Notification Form** Home screen

The **Firm Temporary Permission Regime Notification Form** status will show as **Complete**.

Temporary Permission Notification Form

Application Contact Details	Complete
Firm Temporary Permission Regime Notification Form	Complete
Declaration	Not Started

6 Complete the 'Declaration' section

Select **Declaration** from the **Temporary Permission Notification Form** Home screen.

The Declaration can only be selected once the Application Contact Details and Firm Temporary Permission Regime Notification Form are shown as Complete.

Temporary Permission Notification Form

[Application Contact Details](#) Complete
[Firm Temporary Permission Regime Notification Form](#) Complete
[Declaration](#) Not Started

Please review the declaration and confirm by ticking the boxes as required.

Review and Submission

The ability to submit this form is given to an appropriate user or users by the firm's principal compliance contact.

Tick here to confirm that the person submitting this Form on behalf of the Firm and (if applicable) the Individual named below - have read and understood the declaration.

Signature

I confirm that I have authority to submit this notification on behalf of the Firm.

I confirm that a permanent copy of this notification, signed by me on behalf of the Firm, will be retained for an appropriate period, for inspection at the FCA/PRA's request.

Name of person signing on behalf of the Firm:

Signature (to be signed on the printed version only):

Date: [18/12/2018]

Click **Continue** to go back to the **Temporary Permission Notification Form** Home screen where the **Declaration** status will show as **Complete**.

Temporary Permission Notification Form

[Application Contact Details](#) Complete
[Firm Temporary Permission Regime Notification Form](#) Complete
[Declaration](#) Complete

7 Submit your notification

Your notification is ready to be submitted once all three parts of the Temporary Permission Notification Form are shown as **Complete**

Temporary Permission Notification Form	
Application Contact Details Firm Temporary Permission Regime Notification Form Declaration	Complete Complete Complete

Select **Ready for Submission**

Back to My Applications Ready for Submission Delete
<small>Once the application is complete and valid, a button will appear to allow the application to be marked as Ready to Submit (Draft Ready).</small>

Then click **Submit**.

Back to My Applications Edit Application Submit Delete
<small>Once the application is complete and valid, a button will appear to allow the application to be marked as Ready to Submit (Draft Ready).</small>

Once you have submitted your notification you not be able to change it.

You must submit your notification before the end of 28 March 2019.

Once you have submitted your notification, you will receive an email from us to confirm that we have received it.

8 Areas of business

Advisers and intermediaries
Alternative Asset Manager (e.g. hedge fund / private equity manager)
Asset Manager
Building societies
Contracts for Difference Providers
Corporate Finance Firms
Credit brokers
Credit reference agencies, and providers of credit information services
Credit Unions
Crowdfunders (Investment)
Custody Services and Administrators
Debt advice firms
Debt purchasers, debt collectors, and debt administrators
DRSP
E-money Issuer
High cost lenders
Life Insurance
Life Third Party Administrators
Lifetime Mortgage Providers
Lloyd's & London Market Intermediaries (incl. Managing General Agents)
Lloyd's Managing Agents & London Market (Re)Insurers (incl. P&I Clubs)
Mainstream consumer credit lenders
Mortgage Intermediaries
Mortgage Third Party Administrators
Motor finance providers
Multilateral Trading Facility
Non-Bank Lenders
Organised Trading Facility
Payment Services Firm
Peer-to-peer Lending Platforms
Personal and Commercial Lines Insurance Intermediaries
Personal and Commercial Lines Insurers (incl. EEA insurers)
Platforms
Price Comparison Websites
Principal Trading Firms
Retail Bank
Retail finance providers
Retail Mortgage Lenders
SIPP Operators
Wealth Managers and Stockbrokers
Wholesale Bank
Wholesale Brokers